

National Aeronautics and Space Administration

Kennedy Space Center
Kennedy Space Center, FL 32899

February 14, 2012



CC-A

Reply to Attn of:

TO: Distribution

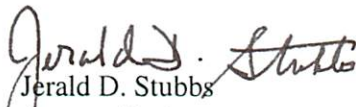
FROM: CC/Chief Counsel

SUBJECT: Determination Regarding Attendance by NASA Employees at the 40th Anniversary Celebration of Apollo 16, April 14, 2012.

The Astronaut Scholarship Foundation (ASF), a non-profit organization under 501(c)(3) of the Internal Revenue Code, will host the 40th Anniversary Celebration of Apollo 16 at the Kennedy Space Center Visitor Complex's Apollo Saturn V Center on April 14, 2012. The Gala will honor Apollo 16 crew members Charles Duke (Apollo 16 Lunar Module Pilot), Fred Haise (Apollo 16 Backup Commander), Edgar Mitchell (Apollo 16 Backup Lunar Module Pilot) and other astronauts Alan Bean, Gene Cernan, Walt Cunningham, Dick Gordon, James Lovell, Jack Schmitt, Rusty Schweickart, Tom Stafford and Al Worden. Invitees include corporate and industry executives and workers, members of academia, aerospace contractors, community leaders, Federal Government officials, military leaders and other space enthusiasts. The estimated cost of the dinner is \$75 per person.

I find this event meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. § 2635.204(g). I further determine that there is an Agency interest in having NASA employees attend these events. Through attendance, NASA employees will be able to honor and show support for the astronauts and NASA's historic programs. In addition, these events are a forum for the attendees to disseminate information on NASA's ongoing activities and to discuss matters of interest to NASA with a diverse group of fellow attendees.

Accordingly, NASA employees whose duties do not substantially affect any of the sponsors, including NASA employees in non-career positions who are required to sign the ethics pledge under the Executive Order 13490, may accept an invitation for free attendance at the event for themselves. NASA employees whose duties may substantially affect ASF, such as by way of procurement duties, should seek an individual determination pursuant to 5 C.F.R. § 2635.204(g)(3)(i) regarding participation in these events from the Chief Counsel's Office.


Gerald D. Stubbs
Agency Designee

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